# Haines Borough Borough Assembly Meeting #211 October 11, 2011 MINUTES

**Approved** 

1. <u>CALL TO ORDER/PLEDGE TO THE FLAG</u>: Mayor HILL called the meeting to order at 6:30 p.m. in the Assembly Chambers and led the pledge to the flag.

# 2. ROLL CALL

**Present:** Mayor Jan **HILL** and Assembly Members Jerry **LAPP**, Joanne **WATERMAN**, Daymond **HOFFMAN**, Scott **ROSSMAN**, and Steve **VICK**.

**Staff Present:** Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Gary **LOWE**/Chief of Police, and **Jila STUART**/Chief Fiscal Officer.

Visitors Present: Krista KIELSMEIER/CVN, Gregory V. FERGUSON, Stephanie SCOTT, Debra SCHNABEL, Jack WENNER, Roger MAYNARD, Eric KOCHER, Joe POOR, Norman HUGHES, Jim and Julie SHOOK, Stan JONES, Kathy PARDEE-JONES, Jenny Lynn SMITH, Suzy WATERHOUSE, Jerrie CLARKE, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA (Items with the \*asterisk are on the consent agenda)

Motion: LAPP moved to "approve the Agenda/Consent Agenda," and the motion carried unanimously.

★ 4. APPROVAL OF MINUTES - Regular: 9/27/11

#### 5. PUBLIC COMMENTS

**CLARKE** announced a portion of the new carpeting has been installed at the Sheldon Museum, and she invited people to drop by to see it. She thanked the assembly for approving it.

6. MAYOR'S REPORT/COMMENTS - None

## 7. PUBLIC HEARINGS

#### A. Ordinance 11-06-270 - third hearing

An ordinance of the Haines Borough Alaska amending Haines Borough Code Title 18, Section 18.90.050 and 18.90.070 to allow the placement of off-premises signs as a conditional use.

Mayor **HILL** opened the public hearing at 6:37 pm.

**HUGHES** is concerned about the sandwich board signs that are obstructing sidewalks, especially in the Fort area. It's a safety hazard.

Hearing no further comments, the mayor closed the public hearing at 6:40 pm.

<u>Motion</u>: LAPP moved to "advance Ordinance 11-06-270 to a fourth public hearing on 10/25/11," and the motion carried 4-1 with **VICK** opposed.

During discussion, **VICK** said he's opposed to off-premises signs because they are unsightly. He suggested kiosks as a possible alternative. Staff had prepared a draft substitute ordinance for consideration, but the assembly decided to reserve it for the next meeting to provide the planning commission with an opportunity to review it at their October 13 meeting.

# B. Ordinance 11-06-269 - third hearing

An ordinance of the Haines Borough Alaska amending Haines Borough Code Chapter 10.34 to authorize the use of ATVs on streets and highways within the borough and allowing use of snow machines on highway shoulders within the borough.

Mayor **HILL** opened the public hearing at 6:50 pm.

**SHOOK** explained he met the day before with **HOFFMAN** and **LOWE** to work on ordinance details, and they had a good discussion. He volunteered to teach ATV classes. The revised ordinance would apply only to gravel roads, and helmets would be required along with safety flags on fiberglass staffs. In addition, an areawide curfew from 9am to 9pm would hold down noise, traffic irritation and hopefully curb alcohol use while operating them. It could be tried for one year and if problematic, it could be modified or repealed. He asked the assembly to consider adopting it with the edits.

Hearing no further comments, the mayor closed the public hearing at 6:54 pm.

<u>Motion</u>: **HOFFMAN** moved to "advance Ordinance 11-06-269 to a fourth public hearing on 10/25/11," and the motion failed 3-2 with **VICK** and **LAPP** opposed.

During discussion, **HOFFMAN** said the proposed edits would enable use of ATVs within neighborhoods. **LOWE** said he has had safety concerns, but the helmet requirement allays many of them along with keeping the ATVs off of paved roads since they are not intended for that. This revised version would allow visiting a neighbor as long as it is via an unpaved road. He is concerned about quality of life for non-ATV users. They might have to deal with dust, fumes, and noise. The curfew would somewhat curb that, but complaints will still happen. People will intentionally and unintentionally violate the ordinance, and he believes it will result in many traffic tickets. He's not sure the benefit is worth the problems it will cause. **HOFFMAN** said another important component of this is education. It will be important to know where you can or cannot ride the ATVs. **LOWE** said it's a complicated ordinance and difficult for people to understand or remember. **ROSSMAN** believes this could be simple but has been complicated by too much input. **LAPP** agreed and added that since this proposed ordinance puts more restrictions on snow-machines than the current code, he no longer supports it.

# 8. STAFF REPORTS

# A. Borough Manager

The manager summarized his written report that included the following items:

- Haines Port Development Steering Committee Letters of Interest
- Haines Port Development Request for Qualifications
- Special Projects Coordinator Request for Qualifications
- Haines Community Center Request for Qualifications
- Old School Building Demolition
- Junk Vehicle Plan
- · Yukon Meetings
- New Community Youth Development Director
- RFP/RFQ Update

**EARNEST** said the City and Borough of Juneau (CBJ) added a nominal vehicle registration fee to offset the cost of removing and scrapping junk vehicles, and Haines might consider the same. There would also need to be a fee for individuals to dispose of vehicles. Even with that, his experience is that a municipality still ends up with a portion of the cost. There is a public interest. There are individuals who have had vehicles dumped without their permission. He believes a good program can put together. **WATERMAN** asked the manager for the number of cars registered in Haines to help determine how much a registration fee would generate, and he will provide that. **EARNEST** said he wants property owners to inform the borough of the numbers of junk vehicles on their property. He needs some sense of location, numbers, and special issues in order to know what the borough would be dealing with. **ROSSMAN** believes no one will be willing to pay to have a junk vehicle disposed of. If a total clean-up is envisioned, there is going to be a huge cost because the reality is the borough will have to go out and find them and retrieve them. Most are not likely to be brought by individuals to a location identified as a junk car holding yard. **EARNEST** said CBJ is 8 years into their effort. There is no simple solution. Haines needs to make a start, because there are some that are very visible and a nuisance to property owners and neighbors.

- **★** B. Borough Clerk
- ★ C. Chief Fiscal Officer
- ★ D. Chief of Police
- ★ E. Museum
- **★ F.** Library
- ★ G. Chilkat Center

# 9. COMMITTEE/COMMISSION/BOARD REPORTS

- **A.** Commerce Committee
- **B. Finance & Budget**
- C. Personnel & Labor Relations
- **D. Government Affairs & Services**
- **★ E.** Planning Commission
- **★F.** School Board
- **★G.** Chilkat Center Advisory Board
- **★H.** Parks & Recreation Advisory Committee
- **★I.** Tourism Advisory Board

- **★J.** Boat Harbor Advisory Committee
- **★K. Public Safety Commission**
- **★ L.** Service Area Boards
- **★ M. Ad-Hoc Boards & Committees**

#### 10. UNFINISHED BUSINESS - None

#### 11. NEW BUSINESS

#### A. Resolutions

# 1. Resolution 11-10-309

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Waldo Enterprises to provide 2011-2012 snow removal services for Tanani Bay Subdivision, Chilkat Center, Townsite Public Schools and Cathedral View/Piedad Area Subdivisions.

<u>Motion</u>: **WATERMAN** moved to "adopt Resolution 11-10-309," and the motion carried unanimously in a roll call vote. There was discussion.

#### 2. Resolution 11-10-310

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Turner Construction to provide 2011-2012 snow removal services for the Letnikof Estates Road Maintenance Service Area.

<u>Motion</u>: LAPP moved to "adopt Resolution 11-10-310," and the motion carried unanimously in a roll call vote.

During discussion, **ROSSMAN** explained the reason(s) he believes no one bid on the Eagle Vista and Riverview Drive RMSA contracts. It is very difficult for a contractor to plow only sporadically at the request of the residents who don't want snow removed regularly because they are trying to keep the costs down. It can cause difficult and hazardous conditions when plowing is finally requested. It proves very time-consuming and costly.

# 3. Resolution 11-10-311

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Storage and Warehouse to provide 2011-2012 snow removal services for the Lutak Dock.

<u>Motion</u>: WATERMAN moved to "adopt Resolution 11-10-311," and the motion carried unanimously in a roll call vote. There was discussion.

## **B. Ordinances for Introduction** - None

## C. Other New Business

# 1. Advisory Board Appointments

[Note: There was one vacancy on the Tourism Advisory Board, and three appointment applications were received. The Board reviewed the applications and recommended Ross Silkman for appointment. The mayor wished to make this appointment and sought assembly confirmation.]

**Motion:** WATERMAN moved to "confirm the mayor's appointment of Ross Silkman to the Tourism Advisory Board for a term ending 11/30/2014," and the motion carried unanimously. There was discussion.

# 2. <u>Surplus Personal Property</u> – old carpeting at Sheldon Museum

[Note: HBC 14.24 requires assembly approval for disposal of "[a]II personal property of the borough, no matter what the value." The assembly by Resolution 11-08-301 approved new carpeting for the Museum, and the old needed to be disposed of. It was considered to have little value but pieces of it were possibly of some use to others. The plan was to advertise it for the taking, and it would save the borough the cost of disposing of it at the landfill.]

<u>Motion</u>: **WATERMAN** moved to "declare the old Sheldon Museum carpeting to be surplus and obsolete and authorize its disposal which may include giving it away to interested people," and the motion carried unanimously.

#### 12. CORRESPONDENCE

- A. Request re. 9.24.010 Discharging pistol or firearm within the townsite Jones
- **B. Report on culvert installation project in Excursion Inlet** Elliott

# C. Correspondence re. illegal junkyard – Einspruch

#### 13. <u>SET MEETING DATES</u>

Tuesday, 10/18, 5:30pm - Government Affairs & Services Committee

Purpose: discuss utilization of the Chilkat Center

Location: Chilkat Center basement

Staff was asked to invite members of the Chilkat Center Advisory Board and Parks and Recreation Advisory Committee, the Community Youth Development Director, and KHNS staff.

# 14. PUBLIC COMMENTS

**JONES** asked the assembly to consider his request under *Correspondence* to allow firearms in the townsite area in which code currently allows shotgun use. He said he was recently issued a citation by the local police department for firing a rifle within that area (he noted Fish & Game determined he had not violated a state law). He shot at a moose that was threatening people at the golf course. Other people have shot at bears and not been cited. He frequently hears rifle fire in that area.

**SMITH** said most of the time the moose will leave but this particular one at the golf course wouldn't go and was very agitated. She ran in and asked **JONES** if he had a gun because she assumed it was legal. Along that mountainside, gunshot is often heard.

**HUGHES** noted state law says you can't shoot toward, from, or across a roadway.

## 15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

**16. ADJOURNMENT** – 7:38 p.m.

**ROSSMAN** announced that Coeur Alaska has received permits to construct permanent employee housing at the Kensington Mine. That is good news for people in Haines that would like to work at that mine similar to those who work for Greens Creek Mine. Construction is slated to begin very soon. **HILL** confirmed it and agreed it is very good news.

**LAPP** said he finds it ironic that shotguns are allowed when hunting ducks but the rifle shooting at the agitated moose was not allowed.

**WATERMAN** said she spoke with a gentleman who lives in the "upper part" at Excursion Inlet, and he expressed a desire to have attention paid to some situations in their area (like the culvert work that the borough made possible in the other area). The borough has been working hard to pay more attention to Excursion Inlet, so she wanted to make the assembly aware of this person's request.

**ROSSMAN** said there is a vast difference between a rifle and a shotgun---rifle fire goes a mile while a shotgun goes 500 feet.

# Motion: LAPP moved to "adjourn the meeting," and the motion carried unanimously. Janice Hill, Mayor ATTEST: Julie Cozzi, MMC, Borough Clerk